

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

ROTHSCHILD BROADCAST  
DISTRIBUTION SYSTEMS, LLC

Plaintiff,

vs.

FANDANGO MEDIA, LLC

Defendant.

---

§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§

Case No: 2:16-cv-00934

**MOTION TO DISMISS FANDANGO MEDIA, LLC WITHOUT PREJUDICE**

Plaintiff Rothschild Broadcast Distribution Systems, LLC hereby moves to dismiss this civil action without prejudice pursuant to Fed. R. Civ. P. 41 (a)(1)(a)(i). Plaintiff notes that Defendant has filed neither an answer nor a motion for summary judgment. Further, no counsel for Defendant has made an appearance in this case.

Wherefore, Plaintiff requests that the Court dismiss Plaintiff's claims without prejudice.

Dated: September 1, 2016

Respectfully submitted,

/s/ Jay Johnson

**JAY JOHNSON**

State Bar No. 24067322

**BRAD KIZZIA**

State Bar No. 11547550

**ANTHONY RICCIARDELLI**

State Bar No. 24070493

**KIZZIA JOHNSON PLLC**

1910 Pacific Ave., Suite 13000

Dallas, TX 75201

(214) 451-0164

Fax: (214) 451-0165

jay@kjpllc.com

bkizzia@kjpllc.com

anthony@kjpllc.com

**ATTORNEYS FOR PLAINTIFF**

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of this document has been served on all counsel of record via electronic mail through Local Rule CV-5(a) on September 1, 2016.

/s/ Jay Johnson

Jay Johnson